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Dated: January 26, 1995.

**Bob J. Nash,**

*Under Secretary, Rural Economic and Community Development.*

[FR Doc. 95-4954 Filed 2-28-95; 8:45 am]

BILLING CODE 3410-32-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 93-NM-207-AD; Amendment 39-9143; AD 95-03-06]

#### **Airworthiness Directives; Canadair Model CL-600-1A11, -2A12, and -2B16 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Canadair Model CL-600-1A11, -2A12, and -2B16 series airplanes, that requires a functional check and a test of the idle stop function of the engine throttle quadrant; repair or replacement, if necessary; and eventual replacement of the engine throttle quadrant with a new model. This amendment is prompted by reports of unintentional engine shutdown on certain of these airplanes due to problems associated with operation of the engine throttle quadrant. The actions specified by this AD are intended to ensure the proper operation of the throttle quadrant so as to prevent inadvertent shutdown of an engine while the airplane is taxiing or in flight.

**DATES:** Effective March 31, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director

of the Federal Register as of March 31, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station A, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Raymond J. O'Neill, Aerospace Engineer, Propulsion Branch, ANE-174, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7421; fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** A

proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Canadair Model CL-600-1A11, -2A12, and -2B16 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on October 19, 1994 (59 FR 52720). That action proposed to require a functional check and a test of the idle stop function of the engine throttle quadrant; repair or replacement, if necessary; and eventual replacement of the engine throttle quadrant.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that

provides for such approvals. A note has been added to this final rule to clarify this requirement.

Additionally, the FAA has recently reviewed the figures it has used over the past several years in calculating the economic impact of AD activity. In order to account for various inflationary costs in the airline industry, the FAA has determined that it is necessary to increase the labor rate used in these calculations from \$55 per work hour to \$60 per work hour. The economic impact information, below, has been revised to reflect this increase in the specified hourly labor rate.

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 150 airplanes of U.S. registry will be affected by this AD.

The side-loads test of the engine throttle quadrant will take approximately 17 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the total cost impact of the side-loads test requirements of this AD on U.S. operators is estimated to be \$153,000, or \$1,020 per airplane.

The abrupt-movement check of the idle stop function of the throttle quadrant will take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the total cost impact of the functional check requirements of this AD on U.S. operators is estimated to be \$9,000, or \$60 per airplane.

The installation of a modified throttle quadrant will take approximately 10 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no cost to operators. Based on these figures, the total cost impact of the installation requirement of this AD on U.S. operators is estimated to be \$90,000, or \$600 per airplane.

Based on the figures discussed above, the total cost impact of this AD on U.S. operators is estimated to be \$252,000, or \$1,680 per airplane. This cost impact figure is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

##### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**95-03-06 Canadair:** Amendment 39-9143. Docket 93-NM-207-AD.

**Applicability:** Model CL-600-1A11 series airplanes, serial numbers 1004 through 1085, inclusive, equipped with throttle quadrant part numbers 600-90601-69, -71, -73, -75, -77, and -79; Model CL-600-2A12 series airplanes, serial numbers 3001 through 3066, inclusive, equipped with throttle quadrant part numbers 600-90601-983, -987, -989, -1013, -1015, -1017, -1019, -1021, -1023, 1025, and -1027; and Model CL-600-2B16 series airplanes, serial numbers 5001 through 5139, inclusive, equipped with throttle

quadrant part numbers 600-90601-983, -987, -989, -1013, -1015, -1017, -1019, -1021, -1023, -1025, and 1027; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (f) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent inadvertent shutdown of an engine while the airplane is taxiing or in flight, accomplish the following:

(a) Within 50 hours time-in-service after the effective date of this AD, perform a test of the engine throttle quadrant to determine if the throttle levers bypass the idle stop into the shut-off position, in accordance with Canadair Alert Service Bulletin A600-0615, dated June 10, 1992 (for Model CL-600-1A11 series airplanes); or Canadair Alert Service Bulletin A601-0374, Revision 1, dated September 30, 1992 (for Models CL-600-2A12 and CL-600-2B16 series airplanes), as applicable.

**Note 2:** Canadair Alert Service Bulletins A600-0615 and A601-0374 reference Sargent Aerospace Service Bulletins 43058-76-03 (for Model CL-600-1A11 series airplanes) and 43068-76-05 (for Model CL-600-2A12 and -2B16 series airplanes), both dated April 13, 1992, for additional service information.

(b) If the test required by paragraph (a) of this AD indicates that either throttle lever bypasses the idle stop into the shut-off position, prior to further flight, replace the throttle quadrant in accordance with Part B of the Accomplishment Instructions of Canadair Challenger Service Bulletin 600-0629, dated November 1, 1993 (for Model CL-600-1A11 series airplanes); or Canadair Challenger Service Bulletin 601-0410, dated November 1, 1993 (for Models CL-600-2A12 and -2B16 series airplanes); as applicable.

(c) Within 150 hours time-in-service after the effective date of this AD, perform a functional check of the idle stop function of the throttle quadrant in accordance with Part A of the Accomplishment Instructions of Canadair Challenger Service Bulletin 600-0629, dated November 1, 1993 (for Model CL-600-1A11 series airplanes); or Canadair Challenger Service Bulletin 601-0410, dated November 1, 1993 (for Models CL-600-2A12 and -2B16 series airplanes); as applicable.

**Note 3:** Canadair Challenger Service Bulletins A600-0629 and A601-0410 reference Sargent Aerospace Service

Bulletins 43058-76-04 (for Model CL-600-1A11 series airplanes) and 43068-76-06 (for Model CL-600-2A12 and -2B16 series airplanes), both dated March 24, 1993, for additional service information.

(d) If the functional check required by paragraph (c) of this AD indicates that the idle stop function of the throttle quadrant fails, prior to further flight, replace the throttle quadrant in accordance with Part B of the Accomplishment Instructions of Canadair Challenger Service Bulletin 600-0629 or 601-0410, both dated November 1, 1993, as applicable.

(e) Within 4,500 hours time-in-service after the effective date of this AD, replace the throttle quadrant in accordance with Part B of the Accomplishment Instructions of Canadair Challenger Service Bulletin 600-0629, dated November 1, 1993 (for Model CL-600-1A11 series airplanes); or Canadair Challenger Service Bulletin 601-0410, dated November 1, 1993 (for Models CL-600-2A12 and CL-600-2B16 series airplanes); as applicable. Such replacement constitutes terminating action for the requirements of this AD.

(f) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(g) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(h) The replacements and check shall be done in accordance with Canadair Challenger Service Bulletin 600-0629, dated November 1, 1993; or Canadair Challenger Service Bulletin 601-0410, dated November 1, 1993; as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station A, Montreal, Quebec H3C 3G9, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(i) This amendment becomes effective on March 31, 1995.

Issued in Renton, Washington, on February 3, 1995.

**S.R. Miller,**

*Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.*  
[FR Doc. 95-3246 Filed 2-28-95; 8:45 am]

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Part 1241

#### Contract Appeals

**AGENCY:** National Aeronautics and Space Administration, (NASA).

**ACTION:** Final rule.

**SUMMARY:** NASA is amending Title 14 of the Code of Federal Regulations (CFR) by removing Part 1241, "Contract Appeals." The NASA Board of Contract Appeals no longer exists as a separate entity at NASA and its functions were assumed by the Armed Services Board of Contract Appeals. Section 18-33.211 of the NASA Federal Acquisition Regulation (FAR) Supplement adequately advises contracting officers and contractors that the Armed Services Board of Contract Appeals (ASBCA) is now NASA's authorized contract dispute forum.

**EFFECTIVE DATE:** February 9, 1995.

**FOR FURTHER INFORMATION CONTACT:**  
David P. Forbes, 202 358-2440.

#### SUPPLEMENTARY INFORMATION:

#### List of Subjects in 14 CFR Part 1241

Board of Contract Appeals,  
Administrative practice and procedure,  
Government contracts.

Under the authority, 42 U.S.C. 2473,  
14 CFR Part 1241 is amended as follows:

#### PART 1241—[REMOVED AND RESERVED]

14 CFR Part 1241, consisting of  
§§ 1241.10 through 1241.234, is  
removed and reserved.

**Edward A. Frankle,**

*General Counsel.*

[FR Doc. 95-5044 Filed 2-28-95; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Office of the Under Secretary for Domestic Finance

#### 17 CFR Parts 400, 401, 402, 403, 404, 405, and 450

RIN 1505-AA44

#### Amendments to Regulations for the Government Securities Act of 1986

**AGENCY:** Office of the Under Secretary for Domestic Finance, Treasury.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Treasury ("Department") is publishing, as a final rule, amendments to the financial responsibility rules in part 402 and a conforming amendment to a recordkeeping requirement in part 404 of the regulations issued under the Government Securities Act of 1986 ("GSA"). The amendments raise the minimum capital requirements for all government securities brokers and dealers subject to the requirements of § 402.2 and establish a written notification requirement for certain withdrawals of capital. The amendments parallel the Securities and Exchange Commission's ("SEC") final and proposed amendments to the minimum net capital requirements for brokers and dealers subject to the requirements of 17 CFR 240.15c3-1 (Rule 15c3-1) and final rules regarding the withdrawal of capital. The Department is adopting the amendments unchanged from their proposed form.

**DATES:** Effective date: March 31, 1995. Further dates: see § 402.2e (Appendix E to § 402.2) for the phase-in schedule for the increased minimum capital levels.

**FOR FURTHER INFORMATION CONTACT:** Don Hammond (Assistant Director) or Kerry Lanham (Government Securities Specialist) at 202-219-3632. (TDD for the hearing impaired: 202-219-3988.)

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The amendments to the Department's financial responsibility rules in part 402 raise the minimum capital requirements and establish written notification requirements for certain capital withdrawals for those government securities brokers and dealers subject to the provisions of § 402.2. Additionally, the Department is making a conforming change to the recordkeeping requirements of part 404 which is necessitated by the revisions to the minimum capital levels. The amendments parallel rule amendments adopted or proposed by the SEC. The

Department's amendments will increase investor confidence in the financial responsibility of government securities brokers and dealers without overburdening the government securities market.

The SEC published its final capital withdrawal regulations on March 5, 1991,<sup>1</sup> finalized its first change in minimum capital levels on November 24, 1992,<sup>2</sup> but has not yet finalized its second proposal<sup>3</sup> on minimum capital levels for certain introducing firms. It is Treasury's objective, where practical, to have consistency with the SEC capital standard<sup>4</sup> and, ultimately, develop a uniform capital rule for all government securities brokers and dealers registered with the SEC.<sup>5</sup>

The Department first published these amendments in proposed form on June 22, 1994,<sup>6</sup> and the comment period closed on August 22, 1994. In addition, the National Association of Securities Dealers distributed the proposed changes to its potentially affected members. Treasury received no comments in response to the proposal.

## II. Analysis

### A. Minimum Capital Requirements

The SEC has either increased or proposed increasing the minimum net capital requirements for most brokers and dealers subject to Rule 15c3-1 to an amount ranging up to \$250,000, depending on the type of business conducted by the broker or dealer. The Treasury minimum dollar capital levels are based on liquid capital after deducting haircuts, which is comparable to the SEC's calculation of net capital. The Treasury capital rule<sup>7</sup> currently has a \$5,000 minimum liquid capital requirement for introducing brokers<sup>8</sup> and a \$25,000 minimum liquid capital requirement for all other government securities brokers and dealers<sup>9</sup> subject to the rule. The Department believes that increasing the minimum levels is appropriate in order to provide better protection to investors

<sup>1</sup> Securities Exchange Act Release No. 28927 (February 20, 1991), 56 FR 9124 (March 5, 1991).

<sup>2</sup> Securities Exchange Act Release No. 31511 (November 24, 1992), 57 FR 56973 (December 2, 1992).

<sup>3</sup> Securities Exchange Act Release No. 31512 (November 24, 1992), 57 FR 57027 (December 2, 1992).

<sup>4</sup> 17 CFR 240.15c3-1.

<sup>5</sup> The Treasury would have acted sooner on these amendments but its rulemaking authority under the GSA expired on October 1, 1991, and was not reauthorized until December 17, 1993. (107 Stat. 2344, Pub. L. 103-202).

<sup>6</sup> 59 FR 32155 (June 22, 1994).

<sup>7</sup> 17 CFR 402.2.

<sup>8</sup> 17 CFR 402.2(c).

<sup>9</sup> 17 CFR 402.2(b).